IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2696 OF 2006

Dinesh A. Siraswan ..Petitioner
Vs.
State Bank of India ..Respondent

WITH
WRIT PETITION NO. 2708 OF 2006

Sanjay Ramchandra Khandagle ..Petitioner
Vs.
State Bank of India ..Respondent

WITH
WRIT PETITION NO. 2740 OF 2006

Kusum Rajendra Kamble ..Petitioner
Vs.
State Bank of India ..Respondent

Mr. Abhay Kulkarni for petitioners.
Mr. Atul G. Damle for respondent-Bank.

CORAM: B.H. MARLAPALLE &
S.R. SAHTE,JJ.

Date : July 02, 2007.

P.C.:

1. All these petitions raise a common grievance regarding the Bank’s refusal to consider the petitioners cases for appointment on compassionate ground as per the scheme framed by the Bank. The Bank

has also framed a scheme for payment of Ex-gratia lump-sum amount in lieu of compassionate appointment. Clause 1 of the said scheme sets out that the scheme replaces the existing claim for appointment on compassionate ground. The petitioners rely on the judgment of the Madhya Pradesh High Court dated 23/6/2003 in Writ Petition No.2410 of 2001. However, that petition was disposed off based on the scheme which is no longer in force as at present and even otherwise there is no right to compassionate appointment, but the said right to be considered.

2. Whether the compassionate appointment should be provided is purely a policy matter for the respondent-bank to decide and this court in exercise of its extra-ordinary jurisdiction cannot act as a Bank and prescribe a scheme not framed by the Bank.

3. If the petitioner is entitled to, in each case, he/she can apply under the scheme for ex-gratia payment and it is for the respondents to consider and dispose of the same according to law. If such an application is made, the respondents to consider the

same expeditiously and at any rate not later than sixteen weeks from the receipt of the application on its own merits.

4. The petitions are accordingly disposed off in terms of the above directions.

(S.R. Sathe,J.) **(B.H. Marlapalle,J.)**